

APR 01 2010

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA)	DOCKET NO. 3:10-cr-59
)	
v.)	BILL OF INFORMATION
)	
RODNEY REED CAVERLY)	18 U.S.C. §1030(a)(4)
)	
Defendant.)	
_____)	

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Information:

1. Bank of America Corporation ("Bank of America") was a financial institution with offices located within the Western District of North Carolina and elsewhere, the accounts and deposits of which were insured by the Federal Deposit Insurance Corporation ("FDIC").

2. Bank of America utilized "protected computers," as that term is defined in Title 18, United States Code, Section 1030(e)(2), in interstate and foreign commerce to provide automated banking services to its customers, including the disbursement of cash through computerized automated teller machines (ATMs).

3. Bank of America employed the defendant, RODNEY REED CAVERLY, for the purpose of maintaining and designing its computer systems, including computers utilized for conducting financial transactions at its ATMs.

4. RODNEY REED CAVERLY devised a scheme and artifice to defraud Bank of America, that is, a scheme to deploy a malicious computer code to Bank of America's protected computers and computerized ATMs for the purpose of causing the affected ATMs to make

fraudulent and unauthorized disbursements of cash without any transactional computer record of said cash disbursements.

COUNT 1
(18 USC 1030(a)(4))

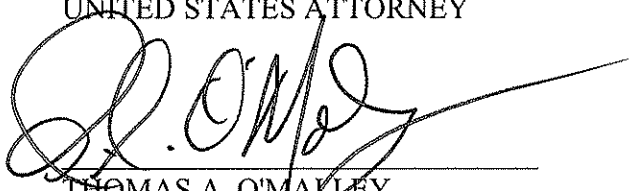
5. Paragraphs 1 through 4 of this Information are re-alleged and incorporated herein by reference as though fully set forth herein.

6. From at least in or about March 20, 2009, up to on or about October 11, 2009, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendant

RODNEY REED CAVERLY,

knowingly and with intent to defraud accessed one or more protected computer, exceeding his authorized access, and by means of such conduct furthered the intended fraud and obtained something of value, specifically, United States currency in excess of \$5,000 within a one-year time period, in violation of Title 18, United States Code, Sections 1030(a)(4) and (c)(3)(A).

EDWARD R. RYAN
UNITED STATES ATTORNEY


THOMAS A. O'MALLEY
ASSISTANT UNITED STATES ATTORNEY